(20)

SOME

CONJECTURES,

CONCERNING

The Causes of the Difficulties which the *GERMAN* Branch of the House of *AUSTRIA* meets with, at this time, in their way to the CROWN of *SPAIN*.

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The Cauſes of the Difficulties which the *GERMAN* Branch of the Houſe of *AUSTRIA* meets with, at this time, in their way to the Crown of *SPAIN*.

NOT to break in abruptly upon thoſe Difficulties, and their Cauſes; I ſhall briefly here take notice of the falſe ſteps by which the Crown of *Spain* is now unhappily become a Ball of Contention, betwixt the Two Houſes of *Auſtria* and *Bourbon*, and in which Conteſt, not thoſe Two Families and their Dominions only, but all the reſt of *Europe* is deeply concerned.

Now, conſidering how viſible it always was, that *Spain*, if ſhe came to have the ſame King with *France*, muſt be but as a Province to her; together with the

great Antipathy the *Spaniards* all have naturally for the whole *French* Nation, and how much that Antipathy has, within theſe Fourſcore Years been whetted in them, by the hard uſage they have by ſo many ways, and in ſo many parts met with from *France*, it might well have been expected, that *Spain* her ſelf would never have done any thing that looked towards her being brought under that Crown; and that nothing but her being either actually Conquered by *France*, or her having juſt cauſe to fear that ſhe would, if ſhe did not prevent it by a voluntary Submiſſion, could ever have reduced her to that odious and unhappy Eſtate.

But ſo far have the *Spaniards* been from taking the wiſe and ſafe courſe, though naturally enclined to it, of keeping the *French* at the greateſt diſtance poſſible from any Title to their Crown. That on the contrary, to the wonder of the whole World, they have of their own accord, in leſs than an Hundred Years, done a thing twice, which they had reaſon to fear might ſpeedily have help'd *France* to a Title to it, which was, their having firſt Married their *Infanta Donna Anna* to *Lewis* the Thirteenth of *France*, and at a time, when beſides her Father, there were but Three betwixt her and the Crown of *Spain*; and to make that matter yet worſe, one of the Three was then deſigned for a Clergy-man, and accordingly was ſoon after nominated to the Archbiſhoprick of *Toledo*: and their having ſince Married their *Infanta Donna Maria Tereſa*, to *Lewis* the Fourteenth, the preſent King of *France*; when, beſides her Father, who was Ancient, there was only her Brother Don *Baltazar*, a Sickly and Infirm young Prince, and who died in a few

few Months after ſhe was Married, betwixt her and that Crown: It ſo happen'd indeed, that ſoon after Don *Baltazar*'s death, ſhe had a Brother born, who was *Charles* the Second, the late King of *Spain*; but as he came into the World but juſt alive, ſo the continued weakneſs of his Body and Mind, did give the *French* great hopes, not only of his having no Iſſue, but that by corrupting of his managers, they might make uſe of him as an inſtrument of helping them to the Crown of *Spain:* as we ſee it has happened.

The *Spaniards* not being inſenſible of the dangerous Conſequences of thoſe Marriages, did indeed to have prevented them, oblige their *Infanta*'s before they went into *France*, ſolemnly for themſelves, and for all the Children which they ſhould have by the *French* King, to renounce all Claim and Title to any of the *Spaniſh* Dominions; and which Renunciations to do them Juſtice, were as full and binding as it was poſſible for Words and Oaths to make them, and that the latter might be the more firm, it was by the *Spaniards* made a part of the *Pyrenean* Treaty.

But tho' betwixt Perſons who muſt either acquieſce in them, or conteſt them at Law, ſuch Renunciations may be good Securities; The *Spaniards* had little reaſon to think that they would prove ſo in a caſe where the longeſt Sword would come to be the judge of their Merits; or to imagine that the *French*, when nothing but thoſe Renunciations came to ſtand in their way to the Crown of *Spain* would not ſtep over them with eaſe: And as at firſt the *Spaniards* had little reaſon to doubt, that this would be the fate of thoſe Renunciations, when they took place, ſo the preſent *French* King did quickly put that matter out of doubt.

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For as he would not, according to his promiſe, ſuffer his Queens Renunciation to be Regiſtred in the Books of the Parliament of *Paris*, and did ſet ſome of his Learned Men to work to write againſt that Renunciation; ſo his Queens Father was no ſooner dead, and which happened within a few Years after ſhe was Married, than in contradiction to her freſh Renunciation, he did in her Name and Right, with a powerful Army put in claim to the greater part of the *Netherlands*; alledging, it belonged to her, for being of her Father's Firſt Bed, and not to her Brother the King of *Spain*, who was of his Second. And what by reaſon of the *Spaniards* own weakneſs and the ſloth, or ſomething elſe that was worſe, of ſome of her ſtrongeſt and moſt concerned Allies; all the effects this early and avowed violation of that Renunciation had, were, that the *Spaniards* were forced to part with ſeveral places in the *Netherlands* to *France*; and as it were to balance that, they in *Madrid* and in other parts, did, by order of that Court, publiſh ſeveral Learned Books to aſſert the Validity of that Renunciarion.

But the thing, in this weak procedure of the *Spaniards* that was the moſt amazing, was, That ſince they were reſolved to be ſo kind to their *Infanta's* as for their Advancement to Marry them into *France*: That inſtead of truſting to their Renunciations, they did not call a *Cortes*, or Parliament, and therein by a perpetual Law declare all their Children by that King, or by any Prince of the Blood of *France*, for ever uncapable of the Crown of *Spain*, or of any ſort of Right to any of its Dominions; and why this courſe that was ſo obvious and eaſie, and which would have been an effectual Security to *Spain*, was not taken; I can ſee no reaſon,

reaſon, unleſs it were the King of *Spain*'s not being willing to leſſen the Reputation of his Deſpotick and Arbitrary Power, by ſuffering a *Cortes* which formerly had ſo great an authority in all Publick Matters, to begin to have any hand again in an Affair of ſo great an Importance as the Marrying of his Daughters; and if this was the true cauſe why ſo neceſſary a Security was deny'd to *Spain*; it is a ſad inſtance of the great miſchiefs which do naturally attend any Princes being more tender of the fame of his own power, than of the preſervation of his People.

The *Dauphine*, who was the only Child the *Infanta Donna Maria Tereſa*, Queen of *France*, did leave, and his Poſterity being excluded from the Crown of *Spain* by his Mothers Renunciation of her Right to it, for her ſelf, and all her Deſcendants by the *French* King. The next Heir to that Crown, if her Brother King *Charles* happened to die without Iſſue, was the *Infanta Donna Margarita*, of whom, tho' being Married into the Houſe of *Auſtria*, no Renunciation had been required: She was Married to *Leopold* the preſent Emperor of *Germany*, and did leave behind her only one Child, a Daughter, afterwards Married to the preſent Duke of *Bavaria*, ſhe left but one Child, who was the Prince of *Bavaria*, and he having died likewiſe very Young, upon his death the Right to the Crown of *Spain*, if the Renunciations had held good, did devolve upon the preſent Emperor, who was Son and Heir to the *Infanta Donna Maria*, Daughter of *Philip* the Third of *Spain*.

Thus Matters did ſtand with the Crown of *Spain*, until the death of the late King *Charles* the Second; when, to the wonder, and great unhappineſs of that Kingdom,

Kingdom, and of all *Europe* beſides; a Paper was diſpatched from *Madrid* to the *French* King, which was ſaid to be the *Will* of the late King *Charles*, made by him a little before his death; in which *Will*, the Duke of *Anjou*, Second Son to the *Dauphine*, was declared his Heir and Succeſſor in all the Dominions belonging to the *Spaniſh* Monarchy. That King's Hand, or Stamp, for it was generally ſaid he was never able to write his own Name, was put to this Paper, but whether that Stamp was put to it by that King himſelf, or if it was, whether he knew any thing of the Contents of that Paper, is juſtly queſtioned.

But let that be as it will, the *French* King no ſooner had received the news of the King of *Spain*'s death, and of his having by his Will appointed the Duke of *Anjou* his Heir and Succeſſor; than, according to his old cuſtom, he did, notwithſtanding the Treaty of Partition which he had ſo lately Concluded and Sworn with the Emperor, the Kings of *England*, and *Portugal*, and the *States General*, reſolve, That his Grandſon the Duke of *Anjou* ſhould accept of the great Legacy which had been left him by his Uncle; and having great Bodies of Soldiers on the Frontiers of *Spain*; and obliging the *Dauphine* and his Eldeſt Son the Duke of *Burgundy* to make Renunciations of all their Right and Title to that Crown, he cauſed the Duke of *Anjou* to be proclaimed King of *Spain*, and having ſent him with all poſſible expedition into his new Kingdom, he was received there, and was owned by all the *Spaniards* as their King; as he is ſtill in Fact.

Here a great queſtion ariſeth, which is, What it ſhould be that moved the late King of *Spain*, who

was

was the Elder Branch of the Houſe of *Auſtria*, and who did to the laſt, ſtill expreſs a wonderful kindneſs for that Family; or if he had no hand in that matter, what it was that moved the *Spaniards* who were about him, and who did ſtill pretend to have a profound veneration for that Houſe, to ſerve it ſuch a ſcurvy trick at laſt; and that in favour to the Houſe of *Bourbon*, to which they had ſtill appeared extreamly averſe; and by repeated Renunciations had endeavoured to guard their Crown againſt it, and to have ſecured it to the Houſe of *Auſtria*.

Now if, as it is univerſally believed, that *Will* was a Writing Forged by the Cardinal *Portocarero*, and ſome other *French* Penſioners, who were about the late King, at the time of his death. This is a ſhort and full anſwer to that great queſtion; neither does that Cardinal's being at the top of the Eccleſiaſtical Preferments in *Spain*, being Archbiſhop of *Toledo*, make it incredible, that he might be bribed by *France* to Forge that *Will* for them; ſince ſeveral of his Predeceſſors, and to none of which he is believed to be Inferior in Ambition, have been as ſolicitous and as ready to do any thing to procure or ſecure to themſelves the higheſt poſt in the Miniſtry, as the Pooreſt and moſt Ambitious Grandee in *Spain*; ſo that if that high poſt was promiſed to that Cardinal by the Court of *France*, or if he did promiſe it to himſelf upon ſo great a piece of Service, and which he could not have rendred to the Houſe of *Auſtria*, in which the true Title to that Crown was, his having had a hand in Forging of that *Will*, is not to be wondred at, no more than it would be in any other Grandee that is equally ambitious and deſirous of

raiſing his Family. For that the late King *Charles* was to the laſt, for having kept the Crown of *Spain* in his own Family; his having till his death continued the Duke of *Bavaria* Governour of *Flanders*, and the Prince of *Vaudemont* Governour of *Milan*, and the Prince of *Heſſe D'Armſtad* Governour of *Catalonia*, ſeems to me to be a demonſtration; thoſe Three Bulwarks of the *Spaniſh* Monarchy, having, during the late War been put into the hands of thoſe Three Princes as ſure Friends of the Houſe of *Auſtria*, and for no other end but to have ſecured the Crown of *Spain* to that Houſe, after King *Charles*'s death. Two of thoſe Princes, notwithſtanding the great Obligations they were under to that Houſe, have indeed proved treacherous to her, and have joined themſelves to *France* againſt her, and eſpecially *Bavaria*, with his Brother in ingratitude the Biſhop of *Cologn*. But as that was more than could be forſeen whilſt the King of *Spain* was alive, ſo his having continued thoſe Three Princes in thoſe Three important Poſts, is a ſtrong evidence of his never having deſigned to have left his Crown from his own Houſe to that of *Bourbon*, which his pretended *Will* does.

I ſee no Objection that lies againſt the credibility of that *Will's* having been Forged, unleſs it be the Duke of *Anjou* when he came amongſt them; having been univerſally received and ſubmitted to by the *Spaniards* as their King. And to find an Anſwer to this Objection, we muſt enter into a large Field in which are the chief cauſes of the preſent great difficulties which the *German* Branch of the Houſe of *Auſtria* meets with in their way to the Crown of *Spain*.

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The firſt and chief Cauſe of thoſe unhappy Difficulties, and which was indeed the fountain of moſt of the reſt, was, The late War betwixt the Confederates and *France*, not having been continued until the death of the King of *Spain*, which was certainly known not to be far off: And as it is more than probable, that it was the near view which the *French* had of that Prince's death, that made them ſo deſirous of a Peace; ſo the ſame near view ought to have kept the Confederates from giving them one: For if that War had been continued until the King's death, as the *French* Agents would not then have had any opportunity of caballing with the *Miniſters* at *Madrid*, and of corrupting them with Money or with great promiſes; ſo neither would the *Spaniſh* Miniſters, tho' they had been never ſo much enclined to the Houſe of *Bourbon*, then have dared either to have put their King on making ſuch a Will in her favour, or to have Forged it in his Name; ſeeing there would then have been great Fleets and Armies in readineſs to have maintained the *Auſtrian* Title to that Crown; ſo that whoever they were that drove the Confederates into the Peace of *Reſwick*, they have lying at their door the main of the blame of the bad poſture the Affairs of *Europe* have been in ever ſince the King of *Spain*'s death. And if *England*, being grown weary with paying Taxes, had any hand in precipitating that Peace; for her puniſhment, ſhe will, I fear, find that ſhe has no good Steward of her Purſe; ſince in all likelihood to drive the Duke of *Anjou* out of *Spain*, and which if it be not done ſhe will loſe the main of her Trade, will coſt her twice the Money that it would have coſt her to have kept him out of it by

having continued the War until the King of *Spain*'s death.

The ſecond great cauſe of thoſe Difficulties which was a conſequence of the former, was, That by the haſty and unhappy Peace of *Reſwick*, that ſtrong Confederacy which had been framed againſt *France*, to have prevented *Spain*'s falling to her, being diſſolved; upon that the Confederate Fleets were laid up, and Armies were preſently disbanded, as if there had been no proſpect of any danger; notwithſtanding the *French* did after that Peace, keep up their Armies, and did augment their numbers conſiderably, quartering them in great bodies, on the *Frontiers* of *Spain* and *Flanders*.

Now the Affairs of *Europe* being at the time of the King of *Spain*'s death, and for a Year before, in this poſture, what could the *Spaniards* do, ſince their Miniſters would not come into the Treaty of Partition, tho' they had been never ſo averſe to their being brought under the Houſe of *Bourbon*, but ſubmit to her as they did, to prevent their being conquered by her: For as *Spain*, as every body knows, had not a ſtrength in her ſelf ſufficient to have given any check to that great and powerful *French* Army which lay at that time upon her Frontiers; ſo the reſt of *Europe*, who were concerned ſeemed to be in no poſture to have ſuccoured her, before ſhe had been overrun.

Neither is there any thing that does ſeem to clear the *Spaniſh* Miniſters of the ſuſpicion of their having been bribed by the *French* to Forge that *Will* for their King, as their having upon their not agreeing to the Treaty of Partition, been by the neceſſity of their affairs at that time

time obliged to do it; having, as things then ſtood with them, no other way to have prevented the *Dauphine*'s being impoſed upon them as their King; and which by reaſon of his being ſo much nearer to the Crown of *France* than his Son the Duke of *Anjou*, would have been, yet worſe than their having of that Duke.

Some may perhaps throw the blame of this matter on the Treaty of Partition; pretending, the King of *Spain* and his Miniſters were ſo incenſed againſt the Princes and States concerned in that Treaty, that to prevent the effects of it, and to be revenged on the *German Auſtrian* Houſe for having gone into it, they did give their Monarchy whole and entire to a Prince of the Houſe of *Bourbon*.

Now ſuppoſing that Treaty to have had this ill effect, which I don't think it had, yet they who gratify'd *France* by driving the Confederates into a Peace, and by disbanding Armies preſently upon it, of all People ought not to find fault with it; ſince had it not been for that Peace, and disbanding, that Treaty would have never been thought of. And after that, it appears to have been neceſſary to have prevented a much greater evil: For as none can imagine that the *French King*, if there had been no ſuch Treaty, would not upon the King of *Spain*'s death have employ'd his whole force to have helped the *Dauphine* to the Crown of *Spain*, ſo no Man's wrath againſt that Treaty can be ſo violent, as to make him think, that the giving of the *Dauphine* the Kingdoms of *Naples* and *Sicily*, and the Dutchy of *Milan*, tho' that was truly a very melancholy thing, was near ſo bad,

bad, as it would have been to have had him take them, and with them all the reſt of the *Spaniſh* Monarchy. And if any concealed profound States-man, that is angry with the Treaty of Partition, and is no Friend to *France*, did know of a better Expedient than that was, he was much to blame for having kept it to himſelf; ſince the Princes and States who had recourſe to that Treaty, only as to a leſſer evil, would gladly have exchanged it for a better Expedient. But it muſt not have been that which was deviſed by the *Spaniſh* Miniſters, which as bad as that Treaty was, yet was much worſe, both for *Spain* and the Confederated Part of *Europe*.

For as to *Spain*, all that ſhe would have loſt by that Treaty, if it had taken place, would have been only Three or Four great Governments, which do now and then enrich ſome of her profuſe Grandees, but do never help her either to Strengh or Money. On the contrary, they are a great charge to her, as all Provinces are to their Capitals, if they have not ſome rich Commodities which are peculiar to them, or if their Natives be not reduced to the Condition of Slaves. So that if the *Spaniſh* Miniſters were as much diſpleaſed with that Treaty, as ſome ſay they were, it muſt have been Vanity, or Private Intereſt, or their having been too much influenced by the Court of *Rome*, that made them ſo angry with it, ſince the Expedient they have made uſe of, may probably be of fatal conſequence to *Spain*; as they muſt own it will, if it ſhould prove a means of bringing her under the ſame King with *France*. And from whoſe Crown the Duke of *Anjou* was not ſo far as *Henry* the Fourth was at his Age; for tho' there were then

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Two betwixt that Duke and that Crown, yet the Poſterity only of one of the Two, and which muſt be Males, was betwixt him and it; it is true the Duke of *Anjou* in caſe that Crown ſhould fall to him, is by the late King *Charles*'s pretended *Will*, required to leave the Crown of *Spain* to his Younger Brother the Duke of *Berry*; but the *Spaniards* muſt be more ſanguine than they are naturally to be able to perſwade themſelves that he would do it.

Neither is it improbable but that the *French* King if he had not had the Union of thoſe Two Crowns in his Eye, would have preferred the annexing of a ſtrong Town in *Flanders* or in *Navarre*, and much more the annexing of the Kingdom of *Naples* and the Dutchy of *Milan* to his Crown, to the Duke of *Anjou*, tho' his Grandſon having the Crown of *Spain*; the exaltation of the *French* Monarchy being known to be that Prince's Idol, much more than the accommodation of his Sons, or any thing elſe, without an Eye to that.

But ſuppoſe the Duke of *Burgundy* and his Male Poſterity ſhould keep the Duke of *Anjou* and his from ever coming to to the Crown of *France*; a very great danger will by that means hang over *Spain*, and which, ſo long as the Duke of *Anjou* and his Poſterity are upon her Throne, ſhe will never be able to remove: Which is, That the Duke of *Burgundy* and his Heirs will ſtill reckon the Right to the Crown of *Spain* to be in them; there being no reaſon why the *Dauphine*'s and the Duke of *Burgundy*'s Renunciations ſhould be any prejudice to their right no more than there was for the *Infanta Donna Maria Tereſa*'s Renunciation, which was ſo much ſlighted in

France,

France, having been a prejudice to her Heirs. So the *French* King, who cannot but laugh to see the *Spaniards* still trusting to Renunciations in which *France* is concerned, had this very thing undoubtedly in his Eye, when he would not suffer the Duke of *Anjou* upon his Uncle's pretended *Will*, to take upon him the Title of the King of *Spain*, until the *Dauphine* and the Duke of *Burgundy* had been first obliged by him, to renounce their Titles to it; knowing well, That the same reasons which had invalidated his Queens Renunciations, would do as much for the *Dauphine*'s and the Duke of *Burgundy*'s, whenever it should be for the Interest of *France*, that they should have the same fate.

And now let but these great visible dangers, without the immense Debt which *Spain* will find her self under to *France*, for the charge she has been at to support her new King, be put in the Scales against *Spain*'s having lost Three or Four chargeable *Italian* Governments, and let the Cardinal *Portocarero* be Judge which will predonderate. Nay, as things are at present with *Spain* and her new King, and which are not very likely to mend upon their hands, one may question, whether the *Spanish* Ministers, if they had foreseen this, would not instead of putting their King on making such a *Will*, or of having made it for him, have run into the Treaty of Partition; and considering the streights *Spain* had reduced her self to, by having trusted to Renunciations, would not have thanked the Princes by whom it was projected; for having helped her, and her Allies to so good Terms.

For,

For though it is true, that the putting of the Ports of *Sicily* and *Naples* into the *Dauphine*'s hands, might have been very incommodious to the Trade of *England* and *Holland*; yet that would not have been near ſo bad, as that Prince's having all thoſe Ports, and with them, all the other Ports of *Spain*, *Majorca*, &c. all which Ports are at preſent, and muſt at leaſt for ſeveral Years; be under the power of *France*, as much as they would have been, if the *Dauphine*, and not the Duke of *Anjou* had had the Crown of *Spain*.

Beſides, the *French*, if they had had all thoſe *Italian* Ports, without *Spain*, muſt have been more fortunate with new Acquiſitions, than they were ever yet in *Italy*; if the *Pope*, and other *Italian* Princes had endured their neighbourhood long.

And as the great Sufferers by the Treaty of Partition, if it had taken place, would have been the *Pope*, and the other *Italian* Princes and States, ſo it is not improbable, that the Fright the Papacy was put in by that Treaty, might be one great cauſe of poor Pope-ridden *Spain*'s having ſtood ſo much in her own Light, as to do what ſhe has done, rather than agree to it.

And as that Treaty, on the Confederate ſide, was nothing but the playing of a Back-game, to ſecure *Spain* from falling under *France*, the Fore-game, for that, having been loſt at the unhappy Peace of *Reſwick*; ſo, unleſs the Managers of that Treaty did truſt much to the *French* King's Faith, it will not be eaſy to find any thing in it, that reflects on their Wiſdom, or on their concern for the intereſt of the Confederated part of *Europe*, and eſpecially of the Proteſtants; who would have found great ſecurity in the

Convulsions which that Treaty, if it had taken place, would have thrown the *Papacy* and all the rest of *Italy* into; and which might probably enough have ended in an eternal Rupture betwixt *France* and the *Pope*: it is not easy for one to think that any who did throughly understand the ill posture the Affairs of *Europe* was in at the time when the Treaty of Partition was made, and which continued the same until the King of *Spain*'s Death, could really be much displeased with that Treaty, on *England*'s account, or on that of the Protestant World, whose interests, if that Treaty had been observed, would certainly have been in a much better condition than they are in at this time; notwithstanding the Posture they are in at present, is, praised be God, and under Him our Wise and most Gracious Queen, much better than it was, when that Treaty was laid aside by *France*, and was roared against by others; who best knew for what reasons: and so far is that Treaty from being a Blemish on the Memory of our late Glorious Deliverer, that were he to have such a Monument erected to him, as he well deserves from *England*, his having been the Projector of that Treaty, would merit a place in an Inscription, transmitting the Memory of his Wise Acts to Posterity; which, when our present private Views and Animosities are all Buried, will, it is like, pay a just reverence to that Great Princes Memory, on the account of this, amongst his other Wise Cares, for the good of *England*, and of the whole Protestant World.

A Third cause of these Difficulties, was the House of *Austria*, and the other Princes and States concerned in the Treaty of Partition, not having resented the

Spaniards

Spaniards pretended Will, and the *French* King's having laid aside that Treaty, so briskly as they deserved: for as bad as the Posture the Affairs of *Europe* were in at that time, yet if all those Princes and States as soon as they heard of the King of *Spain*'s Death, and pretended Will, had by publick Declarations asserted the Rights of the House of *Austria* to the Crown of *Spain*, and had offered to *France* all that had been promised her in the Treaty of Partition, threatning her with a War presently, if the Duke of *Anjou* did take upon him the Title of King of *Spain*; that brisk carriage might possibly have startled both those Kingdoms so, as to have withheld them from throwing the Die so hastily as they did: but when instead of that Course, the King of *England*, contrary to his inclinations, was obliged by the Violence of some People, without whose concurrence it was not safe for him to threaten *France* with a War, to appear disposed to own that Duke, as King of *Spain*, and the *Dutch* after *England*'s example being by the Treachery of the Duke of *Bavaria* Governour of *Flanders*, and by having Powerful *French* Armies on their Frontiers compelled to put on the same Face: as *France* was thereby much encouraged to proclaim the Duke of *Anjou* King of *Spain*, and to send him into that Kingdom, so the *Spaniards* when he came among them, were likewise encouraged by it to receive him, which they did the more joyfully, for their having imagined, that that great change in their Government, whose dire consequences they had so long dreaded, would have passed over quietly, and without any disturbance to them, being sensible, that without the assistance of *England* and *Holland*, the House of *Austria* would never be in a condition to molest them for

the trick they had ſerved Her: and as this ſerene proſpect made the *Spaniſh* Miniſters triumph in what they had done, ſo it cauſed the people of *Spain* to rejoyce in it not a little; and by this means the Duke of *Anjou* ſtept quietly into the Throne of the *Spaniſh* Monarchy.

Neither indeed did the Houſe of *Auſtria*, on this important occaſion, whatever was the cauſe of it, act her part ſo as it might have been expected; for though upon King *Charles*'s death ſhe did immediately, put in her claim to the Crown of *Spain*, ſhe did not till a pretty while after, let that Kingdom know which of her Princes ſhe was to have for her King; notwithſtanding ſhe could not be ignorant of the *Spaniards* having been too weary of *Charles* the *Fifth*'s being Emperor of *Germany*, to be much diſpoſed to have either the Emperor, or the King of the *Romans* for their King.

But if the Councils at *Vienna* are influenced by the *Pope*, and his Janiſaries the *Jeſuites*, as they are ſaid to be too much, the ſlow paces of that Court in this affair, are not to be wondred at; for as the *Pope*, though he would be ſorry to ſee the Crowns of *France* and *Spain*, upon the ſame head, was ſo terrified by the Treaty of Partition that he rejoyced beyond meaſure to ſee it laid aſide; and accordingly, did preſently acknowledge the Duke of *Anjou* to be King of *Spain*; ſo the *Jeſuites* are now all to a man, the *Spaniſh*, and *Auſtrian* not excepted, in the intereſt of the Houſe of *Bourbon*, and that for the ſame Reaſon, they were all formerly, the *French* not excepted, in the Intereſt of the Houſe of *Auſtria*, being always on that ſide which is the ſtrongeſt, and is moſt likely to exterpate the Proteſtant Religion; however, the Court of *Vienna* having

having at laſt broke through all the Papal enchantments, did proclaim the Arch-Duke, the younger Son of the Emperor, King of *Spain*, his Father, and his elder Brother the King of the *Romans*, having firſt Solemnly renounced all the Right and Title to that Crown: and after this was done, I cannot but reckon, the Houſe of *Auſtria*'s not having preſently promiſed the *Spaniards*, in the name of their *Auſtrian* King, ſome things, which ſhe knew to be popular among them, to have been one great cauſe of the Difficulties which that Houſe now meets with in her way to the Crown of *Spain*. Such as the reſtoring of their Cortez's, or Parliaments, to their former Authority; and the reſtoring to all the Subjects of *Spain*, all their Antient Liberties, and Priviléges; which promiſes, if they had not had them every where, might at leaſt have had good Effects in the Kingdom of *Arragon*, and in the Principality of *Catalonia*, whoſe Liberties have not been deſtroyed long enough to be forgotten, or not to be paſſionately thirſted after.

Neither would the Houſe of *Auſtria*, perhaps, have been much out in her Policy, if the Arch-Duke as ſoon as he took the Title of King of *Spain* upon him, had invited all the ſeveral Cortezes, to have met, firſt to examine the merits of that Writing which was ſaid to be their late King's *Will*; and if they found it to be Genuine, for to make a Declaration, whether it be in the power of their King by *Will* to diſpoſe of the *Spaniſh* Monarchy: for though the Duke of *Anjou*, being in poſſeſſion of the Crown of *Spain*, would undoubtedly not have ſuffered thoſe Cortezes to meet; yet his not having ſuffered that, nor having called them together himſelf, as we ſee he has not yet ventured

to do, might perhaps have laid a Load upon him, he would not have been very easy under.

But if Princes rather than not have their Power Arbitrary, will run the Risk of never having any Sovereign Power, they may if they do never come to have any, live if they can contentedly in private Stations, not being loaded with the odious Burden of a Sovereign Power, bounded by Laws, for its own Security, and the Peoples Good.

Lastly, I cannot tell whether the Main of the Troops, which have been sent by *England* and *Holland* into *Portugal*, to the Assistance of the *Austrian* King of *Spain*, being Protestants, may not have been some Cause of the Difficulties he meets with there: It being certain in Fact, that the Spaniards, since that Prince landed there with those Succours, have not differted the Duke of *Anjou*'s Service, near so fast as they did before; neither will any that know the Bigotry of *Spain*, and the strange Ideas her common People have of Protestants, if it should be so, wonder at it; and tho' to have remedied this Evil, it might not perhaps have been safe in this Expedition, to have employ'd *English*, *Scotch*, or *Irish* Papists, who are for the most part in the Jesuites Hands, yet might not *Dutch* and *German* Papists safely have been trusted; whose Swords, let their Consciences in Religion be whose they will, are known to be the Princes that employs and pays them: And whether, the House of *Austria* has by her Agents, endeavoured to gain the Jesuites, by giving their *Generals* and other leading Men among them, Assurances of her whole Interest to help them to Cardinals Caps, and to the Papacy it self, which that Order is under

under ſtrong and painful Longings after; and to gain ſome of the moſt Eminent and popular *Spaniſh* Eccleſiaſticks, by Promiſes of great Preferments, I cannot tell; but were I ſure, that ſhe had not, her having uſed no ſuch Diligences, might, I conceive, be very well reckoned among the Cauſes of the Difficulties which ſhe meets with in her way to the Crown of *Spain*.

The things which I have here mentioned, I do take to have been the Chief Cauſes of thoſe Difficulties, but whether they are ſo or not, my Thoughts here, being offered only as Conjectures, I leave to better Judgments to determine: And ſhall here only add two things more, which may not be improper, which is to ſhew briefly, that the Duke of *Anjou* has no Title to the Crown of *Spain*, and that if he holds that Crown, the Main of the Trade of *England* will be ruined by it.

That Princes Right to that Crown, if he has any, muſt have come to him either by the late King of *Spain*'s Will, or by his Father and Elder Brother's Renunciations of their Right to it.

As to the late King of *Spain*'s Will, ſuppoſing it to be true, it could not, to the Prejudice of the next lawful Heir, whoever he was, give that Prince any ſuch Right: That King, by the Conſtitution of the *Spaniſh* Monarchy, having no Power, either by Reſignation, or by Will, to give that Crown to whom he pleaſed: And in Truth the Condition of Subjects would be deplorable, and too much like to that of Slaves, if their Sovereigns had ſuch a Power over them.

It is certain that the Ancient *Spaniards* did not think their Kings had ſuch a Power over them, neither were they ſo averſe to their being made over to any Nation, as to the *French*, no not to the *Moors*.

So when Don *Alonſo Caſto* had promiſed *Charles* the Great of *France*, to make him his Heir, the whole Kingdom, ſaith *Morales*, *were extreamly diſturbed at it, and the Grandees having gone to the King, They told him, with great Indignation, that if he did not revoke the Promiſe he had made, they would withdraw their Obedience from him, and chooſe them a King to their Contentment*: And *Mariana* ſpeaking of the ſame Promiſe, ſaith, *The* Spaniards *did take it heinouſly to be made Subject to the* French, *an inſolent, and as they called them, a Savage Nation; and from the Loweſt to the Higheſt they complained that this was not to deliver them from the* Moors, *but to change that Servitude for a worſe.*

How much are the preſent *Spaniards* changed from their Anceſtors, in ſubmitting themſelves to a *French* Prince, as they do, becauſe they were made over to him by their late weak King, or rather by the Miniſters who were about him when he Died?

Neither is this that there is no Law in *Spain* againſt their Kings doing of that any Proof at all of his having a Power to do it, for beſides that there is Cuſtom againſt it from the Beginning of the *Spaniſh* Monarchy, until the Day that Will was made, and ſuch a Cuſtom is equal to any Law; ſo to prove that King to have had ſuch a Power, it muſt be ſhewed when, and how that Power was given him. The *Spaniſh* for a long time having been an Elective Monarchy, neither is it much for the Credit or Authority of ſo great and ſo new a Preſident that it had one ſo little qualified to make

Changes

Changes in the Conſtitution, and of the higheſt Importance for its Author, as the late King of *Spain* was known to be.

Had that King indeed, being ſenſible that if his Crown after his Death did deſcend to the next Heir, that that would be of fatal Conſequence to his People, thereupon called a Cortez, and by having laid thoſe great Dangers before them, ſatisfied them likewiſe of the Neceſſity there was of laying aſide that Prince, and of ſettling the Crown upon the next Heir to it, againſt whom no ſuch Objections did lie; and ſo have with the Concurrence of his Cortez, ſettled that whole Matter by a Law; as that would have been no more than what all wiſe Governments have done, and will always do in ſuch Caſes; ſo it muſt have been juſt, the Government having the ſame Power ſtill inherent in it, to regulate the Succeſſion of the Crown, as the Neceſſity of its Affairs requires, as it had when the Courſe of the Succeſſion was firſt ſettled by it.

And if the late King of *Spain*'s *Will*, tho' it were true, could not give the Duke of *Anjou* a Right to the *Spaniſh* Crown as the *French* King and his Council did judge it could not; and who for that Reaſon would not ſuffer that Duke, upon that *Will*, to take upon him the Title of King of *Spain*, before his Father and Elder Brother had renounced their Right to that Crown, much leſs can thoſe Renunciations give him any Right to it. For ſuch Renunciations made by Princes, are either of Force, or they are not: if they are of no Force, the Right to the *Spaniſh* Crown remains ſtill in the *Dauphine*, and his Heirs; and if they be of Force, the Houſe of *Bourbon* could derive no Right to that Crown, from the Infanta Donna *Maria*

Tereſa, who did ſolemnly renounce all Right and Title to it, for her ſelf, and for all her Poſterity by the *French* King: And tho' I have not ſeen the Inſtruments of the Renunciations which were made by the *Dauphine*, and the Duke of *Burgundy*; yet one may venture to ſay, that they cannot poſſibly be fuller, nor more binding, than that Renunciation was, which was made by that Infanta, in barr to the Houſe of *Bourbon*'s ever coming to have any Title to the Crown of *Spain*: Which Houſe being thus excluded, that Right after the late King of *Spain*'s Death, was in the preſent Emperor and in his Heirs; who having together with his Eldeſt Son the King of the *Romans* renounced their Right to that Crown, for themſelves and for their Poſterity; that Right is in the Emperors ſecond Son the Arch-Duke, now *Charles* the Third King of *Spain*.

Of the Merits of Renunciations of this Nature, ſo much has been writ of late Years on both ſides, that all that I ſhall ſay of them here, is, that tho' it was a weak thing in *Spain* to truſt to them, as ſhe did, nevertheleſs no Acts do ſeem to be more binding, as to the Perſons by whom they are made, nor of a more diſſolving and annulling Nature, as to the Rights which are diſclaimed by them, than that Renunciation was, which was made by the Infanta Donna *Maria Tereſa*, before ſhe was married to the *French* King, and upon the Belief of whoſe Validity, *Spain* did marry that Infanta to him, and which ſhe would not have done otherwiſe: And how ſelf condemned are the *French* in this Matter, who after having ſo long ſlighted all ſuch Renunciations, as vain and void Acts, to keep their way open to the Crown of *Spain*: Yet do now

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to help a *French* Prince to that Crown, make uſe of them as Acts of Force and Validity ? Not that *France* has not ſtill the ſame Thoughts of all ſuch Renunciations, that ſhe had before, and will whenever it ſhall be for her Intereſt, treat them all again with the ſame Contempt; but ſince the *Spaniards* (deſtined, one would think, to truſt to Renunciations) were willing to take a *French* Prince for their King, if the *Dauphine* and the Duke of *Burgundy* would but renounce their Rights, *France* would not for the ſake of two vain and void Acts, as ſhe reckoned them to be, loſe that Opportunity of bringing the Crown of *Spain* into the Houſe of *Bourbon*.

Secondly, That the main of the Trade of *England* muſt be ruined, if the Duke of *Anjou* holds the Crown of *Spain*, cannot well be doubted of, by any that know the Courſe of her Trade, or but ſo much of it, as that all *the Silver* and moſt *of the Gold* that is in *England*, was brought into her by the Goods ſhe ſent to *Spain*, and to her *Weſt-Indies*: And which Goods tho' the *Spaniards* are never likely to Manufacture, yet the *French*, who are an Induſtrious People, and do underſtand Trade as well as any Nation in the World, ſhould they be allow'd greater Liberties and Privileges in that Trade, than the *Engliſh*, will quickly be able to furniſh *Spain*, and her *Indies* with all, or moſt of thoſe Commodities: And conſidering the Duke of *Anjou*'s own Inclinations and Proſpects; but chiefly how he does, and muſt always depend on the Power of *France*, to ſupport him on the *Spaniſh* Throne, againſt the Houſe of *Auſtria*, and her Title to it, Can any think that that Duke will, or dare deny the *French* any Liberties and Privileges in the way of Trade, which they

they ſhall deſire; and eſpecially ſince they may be granted to them, without doing the *Spaniards* any great Injury?

And as it will be the ſame with *England*, and the *Auſtrian* King of *Spain*, were he in the Poſſeſſion of that Kingdom, ſo by that means *England* may have greater Liberties and Privileges in that profitable Trade, than ſhe ever had before, to the excluding of *France* in a great Meaſure: And ſo plain it is, that on the good or ill Succeſs of the Diſpute now on Foot about the Crown of *Spain*, does depend, whether *England* ſhall have a greater Trade than ever ſhe had, or ſhall ſcarce have any Trade at all; that one cannot but wonder how any, that know any thing of the Affairs of the World, ſhould be able not to ſee it; and not to ſee likewiſe that *England* were her Trade ruined, would of a wealthy and glorious Nation, be in a ſhort time, one of the moſt deſolate and diſcontented Nations in the World, and would be much the more ſo, for her having by her great Trade, been once ſo wealthy, powerful and populous, the Ruins of which Greatneſs would quickly be ſo viſible in the Streets of *London*, and in all other parts of the Kingdom, that all true *Engliſh* Hearts muſt bleed to ſee them: And if this be not foreſeen by all that wiſh well to *England*, may they never be undeceived, if nothing, but *England*'s having made a Tryal of it, can undeceive them.

F I N I S.